UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

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Civil 07-1484 JNE/FLN

Plaintiff,

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ORDER

Michael J. Astrue, Commissioner of Social Security,

Defendant		
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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated February 15, 2008, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

- 1. Plaintiff's motion for summary judgment [#10] is DENIED; and
- 2. Defendant's motion for summary judgment [#13] is GRANTED.

DATED: March 11, 2008. at Minneapolis, Minnesota

s/ Joan N. Ericksen

JUDGE JOAN N. ERICKSEN

United States District Court